

**SUPREME COURT MINUTES
TUESDAY, MAY 5, 2009
SAN FRANCISCO, CALIFORNIA**

S064769**PEOPLE v. HAWTHORNE
(CARLOS ANTHONY)**

Time extended to consider modification or rehearing

The time for granting or denying rehearing in the above-entitled case is hereby extended to July 22, 2009, or the date upon which rehearing is either granted or denied, whichever occurs first.

S171139 C057249 Third Appellate District**ROSS (TIMOTHY ELLIS) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to June 18, 2009.

S105097**PEOPLE v. DUFF (DEWEY
JOE)**

Extension of time granted

Good cause appearing, and based upon counsel Jonathan P. Milberg's representation that he anticipates filing the appellant's opening brief by August 19, 2009, counsel's request for an extension of time in which to file that brief is granted to July 6, 2009. After that date, only one further extension totaling about 40 additional days is contemplated.

S158076 C052606 Third Appellate District**PEOPLE v. DIECK (RONALD
WILLIAM)**

Request for judicial notice granted

Appellant's request for judicial notice, filed on March 6, 2008, is granted.

Respondent's request for judicial notice, filed on May 30, 2008, is granted.

S172452**WATKINS ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of HENRY G. WATKINS, State Bar Number 129523, as a member of the State Bar of California is accepted.

S172456**MCKEE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CHARLES CLIFFORD MCKEE, State Bar Number 59724, as a member of the State Bar of California is accepted.

S172458**PEDEN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KEITH SCOTT PEDEN, State Bar Number 119128, as a member of the State Bar of California is accepted.

S172461**RUSSELL ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DONALD WAYNE RUSSELL, State Bar Number 93372, as a member of the State Bar of California is accepted.

S172462**MARICLE ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SCOTT FORBES MARICLE, State Bar Number 57705, as a member of the State Bar of California is accepted.

S172463**MINSON ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DOUGLAS LLOYD MINSON, State Bar Number 68471, as a member of the State Bar of California is accepted.

S172465**OLSON ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PETER OLSON, State Bar Number 51277, as a member of the State Bar of California is accepted.

S172467**ORNDORFF ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LOGAN BERNARD ORNDORFF, State Bar Number 153921, as a member of the State Bar of California is accepted.

S172468

**PEARSON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RICHARD LEE PEARSON, State Bar Number 86856, as a member of the State Bar of California is accepted.

S172469

PINNELL ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of JAMES DALE PINNELL, State Bar Number 58027, as a member of the State Bar of California is accepted.

**SUPREME COURT MINUTES
TUESDAY, MAY 5, 2009
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on Tuesday, May 5, 2009, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan.

Officers present: Frederick K. Ohlrich, Clerk, and Gail Gray, Calendar Coordinator.

S156961 San Leandro Teachers Association et al., Plaintiffs and Respondents,
v.
Governing Board of the San Leandro Unified School District et al.,
Defendants and Appellants.

Cause called. Priscilla Winslow argued for Respondents. Garry Mathiason argued for Appellants.

Ms. Winslow replied.
Cause submitted.

Justice Joyce L. Kennard, not participating in consideration of the following case, did not take the bench.

The Honorable Steven Z. Perren, Associate Justice, Court of Appeal, Second District, Division Six, sitting on the following case, under assignment by the Chairperson of the Judicial Council, joined the court at the bench.

S164884 Azure Limited, Plaintiff and Appellant,
v.
I-Flow Corporation, Defendant and Respondent.

Cause called. Julian Wing-Kai Poon argued for Respondent.
Carl W. Shapiro argued for Appellant.
Robin B. Johansen argued for Amicus Curiae State Controller John Chiang.

Mr. Poon replied.
Cause submitted.

Justice Steven Z. Perren, not participating in the following case, will not join the bench.
The court is now rejoined by Justice Kennard at the bench.

S157565

The People, Plaintiff and Respondent,
v.
Timmie Lance McNeal, Defendant and Appellant.

Cause called. Jamie Popper, Appellate Defenders, Inc., Court-appointed Counsel, argued for Appellant.
Mark Vos, Office of the San Bernardino County District Attorney, argued for Respondent.
Margaret O'Malley, Office of the Santa Barbara District Attorney, argued for Amicus Curiae California District Attorneys Association.

Ms. Popper replied.
Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.
Members of the court and officers present as first shown.

S141480

In re Omar Fuentes Martinez on Habeas Corpus.

Cause called. Chet L. Taylor and Sandra Babcock argued for Petitioner.
Holly D. Wilkens, Office of the Attorney General, argued for Respondent.

Mr. Taylor and Ms. Babcock replied.
Cause submitted.

S055501

The People, Respondent,
v.
Raymond Oscar Butler, Appellant.

Cause called. Karen Hamilton, Office of the State Public Defender
Appointed Counsel, argued for Appellant.
Noah P. Hill, Office of the Attorney General, argued for
Respondent.

Ms. Hamilton replied.
Cause submitted.

S027264

The People, Respondent,
v.
Jack Wayne Friend, Appellant.

Cause called. Evan Young, Office of the State Public Defender
Appointed
Counsel, argued for Appellant.
Gregg Zywicke, Office of the Attorney General, argued for
Respondent.

Mr. Young replied.
Cause submitted.

Court recessed until May 6, 2009, at 9:00 a.m.